

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1270, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 3, delete "knowingly or intentionally".
- 2 Page 2, line 3, delete "without".
- 3 Page 2, line 4, delete "having" and insert "**knowing that the person**
- 4 **does not have the**".
- 5 Page 2, line 4, delete "to enter the motor vehicle from" and insert
- 6 **"of"**.
- 7 Page 2, line 5, after "vehicle" insert "**to enter the motor vehicle**".
- 8 Page 2, line 15, after "crime" insert "**, if the person knew or should**
- 9 **have known that a person intended to use the motor vehicle in the**
- 10 **commission of a crime."**.
- 11 Page 2, between lines 18 and 19, begin a new paragraph and insert:
- 12 **"(g) There is a rebuttable presumption that the person did not**
- 13 **have the permission of an owner, a lessee, or an authorized**
- 14 **operator of the motor vehicle to enter the motor vehicle if the**
- 15 **motor vehicle has visible steering column damage or ignition switch**
- 16 **alteration."**.
- 17 Page 2, delete lines 19 through 42, begin a new paragraph, and
- 18 insert:
- 19 "SECTION 2. IC 35-43-4-3 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. **(a)** A person who
- 21 knowingly or intentionally exerts unauthorized control over property

1 of another person commits criminal conversion, a Class A
2 misdemeanor.

3 **(b) The offense under subsection (a) is a Class D felony if**
4 **committed by a person who exerts unauthorized control over the**
5 **motor vehicle of another person with the intent to use the motor**
6 **vehicle to assist the person in the commission of a crime.**

7 **(c) The offense under subsection (a) is a Class C felony if:**

8 **(1) committed by a person who exerts unauthorized control**
9 **over the motor vehicle of another person; and**

10 **(2) the person uses the motor vehicle to assist the person in the**
11 **commission of a felony.**

12 **SECTION 3. [EFFECTIVE JULY 1, 2005] IC 35-43-4-2.7, as**
13 **added by this act, and IC 35-43-4-3, as amended by this act, apply**
14 **to offenses committed after June 30, 2005."**

15 Page 3, delete lines 1 through 8.

16 Renumber all SECTIONS consecutively.

(Reference is to HB 1270 as printed February 9, 2005.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Long, Chairperson